



# **The Commonwealth of Massachusetts**

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## **DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY**

### NOTICE OF FILING AND PUBLIC HEARING

D.T.E. 05-48-A

April 27, 2006

Petition of Bay State Gas Company, in compliance with Bay State Gas Company, D.T.E. 05-48 (2005), for approval of a management services agreement with Northeast Gas Markets.

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On October 31, 2005, the Department of Telecommunications and Energy ("Department") approved Bay State Gas Company's ("Bay State" or "Company") petition for firm transportation agreements by which TransCanada Pipelines Limited and Union Gas Limited would supply natural gas transportation service ("Agreements") to the Company via pipelines between Ontario, Canada and the Company. Bay State Gas Company, D.T.E. 05-48 (2005). As part of the Agreements, Bay State stated that the Company would later petition the Department for approval of a management services agreement ("MSA") with an entity that would provide cross-border (i.e., the Ontario-New York border) management services on behalf of the Company to facilitate the Agreements. On February 16, 2006, Bay State filed for the Department's review and approval an MSA between the Company and Northeast Gas Markets. Bay State's MSA petition has been docketed as D.T.E. 05-48-A.

The Department will hold a public hearing on Tuesday, May 23, 2006, at 2:00 p.m. to receive comments on the Company's filing, at the Department's offices, One South Station, Boston, Massachusetts. Any person who desires to comment may do so at the time and place noted above or submit written comments no later than the close of business (5:00 p.m.) on Monday, May 22, 2006. The Department will conduct a procedural conference immediately following the conclusion of the public hearing.

Any person who desires to participate in the evidentiary phase of this proceeding must file a written petition for leave to intervene with the Department not later than the close of business (5:00 p.m.) on Friday, May 19, 2006. A petition for leave to intervene must satisfy the timing and substantive requirements of 220 C.M.R. § 1.03. Receipt by the Department, not mailing, constitutes filing and determines whether a petition has been timely filed. A petition filed late may be disallowed as untimely, unless good cause is shown for waiver under 220 C.M.R. § 1.01(4). To be allowed, a petition under 220 C.M.R. § 1.03(1) must satisfy the standing requirements of G.L. c. 30A, § 10.

An original and three (3) copies of all written comments or petitions to intervene must be filed with Mary L. Cottrell, Secretary, Department of Telecommunications and Energy - One South Station - 2<sup>nd</sup> Floor, Boston, Massachusetts 02110, not later than the close of business on the dates noted above. One copy of all written comments or petitions to intervene should also be sent to the Company's counsel, Patricia M. French, 300 Friberg Parkway, Westborough, Massachusetts 01581.

Please submit a copy of all nonproprietary written pleadings, comments, or petitions to intervene to the Department in electronic format using one of the following methods: (1) by e-mail attachment to [dte.efiling@state.ma.us](mailto:dte.efiling@state.ma.us) and [john.geary@state.ma.us](mailto:john.geary@state.ma.us); or (2) on a 3.5" disk, IBM-compatible format. The text of the e-mail or the disk label must specify: (1) the docket number of the proceeding (D.T.E. 05-48-A); (2) the name of the person or company submitting the filing; and (3) a brief descriptive title of the document. The electronic filing should also include the name, title, and telephone number of a person to contact in the event of questions about the filing. Text responses should be formatted as either Word Perfect, Microsoft Word, or Adobe PDF compatible files. Data or spreadsheet responses should be compatible with Microsoft Excel. All comments submitted in electronic format will be posted on the Department's web site: <http://www.mass.gov/dte>.

A copy of the Company's filing is on file at the Department's offices, One South Station, Boston, Massachusetts for public viewing during business hours (Monday through Friday, 9:00 a.m. - 5:00 p.m.). Copies are also on file for public viewing at Bay State's offices, 300 Friberg Parkway, Westborough, Massachusetts. Any person desiring further information regarding the Company's filing should contact Bay States' counsel, Patricia M. French, at (508) 836-7394. Any person desiring further information regarding this notice should contact the hearing officer, John J. Geary at (617) 305-3500.

By Order of the Department,

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Mary L. Cottrell, Secretary



**The Commonwealth of Massachusetts**  
**DEPARTMENT OF**  
**TELECOMMUNICATIONS AND ENERGY**

AMENDED ORDER OF NOTICE

D.T.E. 05-48-A

April 27, 2006

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Bay State Gas Company ("Bay State" or "Company") is required to publish the attached Notice of Filing and Public Hearing ("Notice") in either The Boston Globe or the Boston Herald, and each of the following: the Lawrence Eagle Tribune, The Brockton Enterprise, and the Springfield Republican. Bay State shall also serve a copy of the Notice on the service list in Bay State Gas Company, D.T.E. 05-48 (2005), at least fourteen (14) days prior to Tuesday, May 23, 2006; and make return of service and proof of publication at the time of the public hearing.

By Order of the Department,

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Mary L. Cottrell, Secretary